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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/775,481         | 02/10/2004             | Scott A. Waldman      | 08321-0168 US1         |

23973  
DRINKER BIDDLE & REATH  
ONE LOGAN SQUARE  
18TH AND CHERRY STREETS  
PHILADELPHIA, PA 19103-6996

**CONFIRMATION NO. 1053**  
**FORMALITIES LETTER**



\*OC000000013396882\*

Date Mailed: 07/30/2004

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS  
CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE  
DISCLOSURES**

*Filing Date Granted*

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

**For questions regarding compliance to these requirements, please contact:**

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

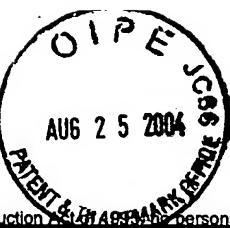
Replies should be mailed to: Mail Stop Missing Parts  
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*A copy of this notice **MUST** be returned with the reply.*

B-14  
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PART 2 - COPY TO BE RETURNED WITH RESPONSE



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|  |                      |                         |                |
|--|----------------------|-------------------------|----------------|
| <b>TRANSMITTAL<br/>FORM</b><br><i>(to be used for all correspondence after initial filing)</i> | Application Number   | 10/775,481              |                |
|  | Filing Date          | FEBRUARY 10, 2004       |                |
|  | First Named Inventor | Scott A. WALDMAN et al. |                |
|  | Art Unit             | 1642                    |                |
|  | Examiner Name        | not yet assigned        |                |
| Total Number of Pages in This Submission   |                      | Attorney Docket Number  | 08321-0168 US1 |

### ENCLOSURES (Check all that apply)

|  |  |   |
|--|--|---|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) | <input type="checkbox"/> After Allowance communication to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br><small>Response to Notice to Comply re 37 CFR 1.822/1.823; Corrected diskette containing Substitute CRF; Written (on paper) substitute sequence listing; Statement under 37 CFR 1.821(f); copy of Notice; Postcard Receipt</small> |
| Remarks  |  |   |

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|                         |                                    |
|-------------------------|------------------------------------|
| Firm or Individual name | DANIEL A. MONACO (Reg. No. 30,480) |
| Signature               |                                    |
| Date                    | August 23, 2004                    |

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

|                       |                |      |                 |
|-----------------------|----------------|------|-----------------|
| Typed or printed name | Karen M. Spina |      |                 |
| Signature             |                | Date | August 23, 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Attorney Docket No. 08321-0168 US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent application of: WALDMAN et al. :  
: Group Art Unit: 1642  
Application No.: 10/775,481 :  
: Examiner:  
Filed: February 10, 2004 : Not yet assigned  
For: USE OF GCC LIGANDS :  
: :  
: :

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Commissioner for Patents  
P.O. Box 2327  
Arlington, VA 22202

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT**  
**APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO**  
**ACID SEQUENCE DISCLOSURES**

Dear Sir:

This response to the NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES, mailed from the U.S. Patent and Trademark Office on July 30, 2004, is due on September 30, 2004 and is timely filed. Accordingly, it is believed that no fee is required. However, should a fee be due, please charge the fee or credit any overcharge to Deposit Account No. 50-0573.

|   |  |
|---|--|
| CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)   |  |
| I hereby certify that this paper, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date indicated below, with sufficient postage, as first class mail, in an envelope addressed to: Mail Stop MISSING PARTS, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. |  |
| BY  |  |
| KAREN M. SPINA  |  |
| DATE:   | August 23, 2004  |

**REMARKS**

In response to the NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES, Applicant encloses herewith:

1. A copy of the aforesaid Notice; and
2. Corrected diskette containing the substitute computer readable form of the sequence listing complying with the requirements of 37 CFR 1.822 and/or 1.823; and
3. Written (on paper) copy of the substitute sequence listing.

**STATEMENT UNDER 37 CFR § 1.821(f)**

The sequence listing information recorded on the corrected diskette containing the substitute computer readable form is identical to the written (on paper) sequence listing submitted herewith, and includes no new matter.

Respectfully submitted,

SCOTT A. WALDMAN, *et al.*

BY

  
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